

(d) The regulations in this section shall be enforced by the Commanding Officer, U.S. Naval Air Station, Patuxent River, Md., and such agencies as he may designate.

[30 FR 4198, Mar. 31, 1965, as amended at 48 FR 54598, Dec. 6, 1983. Redesignated at 50 FR 42696, Oct. 22, 1985]

§ 334.190 Chesapeake Bay, in vicinity of Bloodsworth Island, MD, U.S. Navy.

(a) *The areas*—(1) *Prohibited area.* All waters within a circle 0.5 miles in radius with its center at latitude 38°10'00", longitude 76°06'00"; Bloodsworth Island, Pone Island, Northeast Island, and Adams Island.

(2) *The danger zone.* All waters of Chesapeake Bay and Tangier Sound within an area bounded as follows: Beginning at latitude 38°08'15", longitude 76°10'00"; thence to latitude 38°12'00", longitude 76°10'00"; thence to latitude 38°12'00", longitude 76°07'00"; thence to latitude 38°13'00", longitude 76°06'00"; thence to latitude 38°13'00", longitude 76°04'00"; thence to latitude 38°12'00", longitude 76°02'00"; thence to latitude 38°12'00", longitude 76°00'00"; thence to latitude 38°08'15", longitude 76°00'00"; thence to the point of beginning, excluding the prohibited area described in paragraph (a)(1) of this section.

(b) *The regulations.* (1) No person, vessel or other craft shall approach closer than 75 yards to the beaches, shoreline, or piers of Bloodsworth Island, Pone Island, Northeast Island, Adams Island, or any Patuxent River Naval Air Station property at any time unless authorized to do so by the enforcing agency. No person, vessel or other craft shall approach rafts, barges, or platforms closer than 100 yards.

(2) No person, vessel, or other craft shall enter or remain in the danger zone when notified by the enforcing authority to keep clear. Any watercraft under way or at anchor, upon being so warned, shall immediately vacate the area and shall remain outside the area until conclusion of potentially hazardous test or training events.

(3) The area will be in use intermittently throughout the year.

(4) Prior to the commencement of any potentially hazardous test or training event that requires clearing of

non-participant boats from the danger zone, surface or air search of the entire area will be made for the purpose of locating and warning all craft and persons not connected with the test or training event, and a patrol will be maintained throughout the duration of the event.

(5) All persons, vessels, or other craft shall clear the area when warned by patrol vessels.

(6) Patrol vessels will provide warning that a potentially hazardous test or training event is in progress or is about to commence; when so warned, fishing or oystering vessels or other craft not directly connected with the event shall not navigate within the danger zone. Deep-draft vessels proceeding in established navigation channels normally will be permitted to traverse the area upon coordination with range patrol vessels. The patrol vessels will ensure safe separation between all non-participant vessels and potentially hazardous operations.

(7) When potentially hazardous testing or training is not in progress or is not about to commence, oystering and fishing boats and other craft may operate within the danger zone.

(8) All potentially hazardous test or training events will be performed in such a way as to contain the hazard footprint to the established danger zone described in paragraph (a) of this section. Naval authorities will not be responsible for damage to nets, traps, buoys, pots, fish pounds, stakes, or other equipment that may be located within the danger zone.

(9) Nothing in this regulation shall be intended to prevent the lawful use of approved waterfowl hunting blinds along the shorelines of Bloodsworth Island range complex, provided that all necessary licenses and permits have been obtained from the Maryland Department of Natural Resources and the completed copy of the permit has been submitted to the Conservation Division Director at NAS Patuxent River. Waterfowl hunters must observe all warnings and range clearances, as noted herein.

(10) The regulations in this section shall be enforced by the Commander, Naval Air Station Patuxent River,

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Maryland, and such agencies as he/she may designate.

[72 FR 65668, Nov. 23, 2007]

§ 334.200 Chesapeake Bay, Point Lookout to Cedar Point; aerial and surface firing range and target area, U.S. Naval Air Station, Patuxent River, Maryland, danger zones.

(a) *Aerial firing range*—(1) *The danger zone.* The waters of Chesapeake Bay within an area described as follows: Beginning at the easternmost extremity of Cedar Point; thence easterly to the southern tip of Barren Island; thence southeasterly to latitude 38°01'15", longitude 76°05'33"; thence southwesterly to latitude 37°59'25", longitude 76°10'54"; thence northwesterly to latitude 38°02'20", longitude 76°17'26"; thence northerly to Point No Point Light; thence northwesterly to the shore at latitude 38°15'45"; thence northeasterly along the shore to the point of beginning. Aerial and surface firing and dropping of nonexplosive ordnance will be conducted throughout the year.

(2) *The regulations.* (i) Through navigation of surface craft outside the target areas will be permitted at all times. Vessels shall proceed on their normal course and shall not delay their progress.

(ii) Prior to firing or ordnance drops, the range will be patrolled by naval surface craft or aircraft to warn watercraft likely to be endangered. Surface craft so employed will display a square red flag. Naval aircraft will use a method of warning consisting of repeated shallow dives in the area, following each dive by a sharp pullup.

(iii) Any watercraft under way or at anchor, upon being so warned, shall immediately vacate the area and shall remain outside the area until conclusion of firing practice.

(iv) Nothing in this section shall prevent the taking of shellfish or the setting of fishing structures within the range outside target areas in accordance with Federal and State regulations: *Provided*, That no permanent or temporary fishing structures or oyster ground markers shall be placed on the western side of the Chesapeake Bay between Point No Point and Cedar Point without prior written approval of the

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(v) Naval authorities will not be responsible for damage caused by projectiles, bombs, missiles, or Naval or Coast Guard vessels to fishing structures or fishing equipment which may be located in the aerial firing range immediately adjacent to the target areas.

(b) *Target areas*—(1) *Prohibited area.* A circular area with a radius of 1,000 yards having its center at latitude 38°13'00", longitude 76°19'00" identified as Hooper Target.

(2) *The area.* A circular area with a radius of 1000 yards having its center at latitude 38 degrees 02 minutes 18 seconds longitude 76 degrees 09 minutes 26 seconds identified as Hannibal Target.

(3) *The regulations.* Nonexplosive projectiles and bombs will be dropped at frequent intervals in the target areas. Hooper and Hannibal target areas shall be closed to navigation at all times, except for vessels engaged in operational and maintenance activities as directed by the Commanding Officer of the U.S. Naval Air Station, Patuxent River, Maryland. No person in the waters, vessel, or other craft shall enter or remain in the closed area or climb on targets except on prior written approval of the Commanding Officer, U.S. Naval Air Station, Patuxent River, Maryland.

(c) *Enforcement.* The regulations in this section shall be enforced by the Commanding Officer of the Naval Air Station, Patuxent River, Maryland and such agencies as he or she may designate.

[31 FR 13648, Oct. 22, 1966, as amended at 48 FR 54598, Dec. 6, 1983. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 64 FR 18581, Apr. 15, 1999]

§ 334.210 Chesapeake Bay, in vicinity of Tangier Island; naval guided missiles test operations area.

(a) *The danger zone*—(1) *Prohibited area.* A circle 1,000 yards in radius with its center at latitude 37°47'54", longitude 76°03'48".

(2) *Restricted area.* A circle three nautical miles in radius with its center at latitude 37°47'54", longitude 76°03'48", excluding the prohibited area.